



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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2700

In re Application of:

Kelvin PORTER et al.

Application Serial No.: 09/397,578

Filing Date: September 16, 1999

Attorney Docket No.: 09710-1058

Client Docket No.: RIC-99-006

**RESPONSE UNDER 37 CFR § 1.116
EXPEDITED PROCEDURE**

Examiner: Bui, B.

Group Art Unit: 2642

Corres. and Mail
BOX AF

For: METHOD AND SYSTEM FOR NEGOTIATED CALL FORWARDING

Box AF, DIRECTOR OF PATENTS AND TRADEMARKS
Washington, DC 20231

RECEIVED

JUL 24 2003

AMENDMENT TRANSMITTAL LETTER

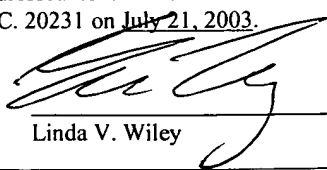
Transmitted herewith is an amendment in the above-identified application.

Technology Center 2600

FEE CALCULATION	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREV. PAID FOR	NO. OF EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	22	MINUS	22	0	\$18	\$ 0.00
INDEP. CLAIMS	3	MINUS	3	0	\$84	\$ 0.00
<input checked="" type="checkbox"/> Petition is hereby made under 37 CFR § 1.136(a) to extend the time for response to the Office Action of <u>May 19, 2003</u> to and through <u>July 21, 2003</u> , for an extension of: <input type="checkbox"/> One month (\$110) <input type="checkbox"/> Two months (\$410) <input type="checkbox"/> Three months (\$930) <input type="checkbox"/> Four months (\$1450)						\$ 0.00
TOTAL ADDITIONAL FEE DUE:						\$ 0.00

- ☐ Applicant claims small entity status. See 37 CFR § 1.27.
- ☒ No additional fee is required.
- ☐ Payment of \$ ___ by Credit Card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account 13-2491, including any filing fees under 37 CFR § 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR § 1.17

I hereby certify that this correspondence and all correspondence identified as accompanying this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on July 21, 2003.


Linda V. Wiley

Date: 7/21/03

Respectfully submitted,

DITTHAVONG & CARLSON, P.C.

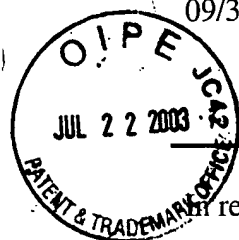


Stephen C. Carlson
Reg. No. 39929

Date: July 21, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Re Application of:

Kelvin PORTER et al.

Reply under 37 CFR 1.116
EXPEDITED PROCEDURE

Application No.: 09/397,578

Examiner: Bui, B.

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Assistant Commissioner for Patents
Washington, D.C. 20231

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RESPONSE UNDER 37 CFR 1.116

Technology Center 2600

Dear Sir:

This is in response to the final Office Action of May 19, 2003, in which claims 1-22 are pending.

The Office Action mailed May 19, 2003 indicated that claims 11-17 are allowable and rejected claims 1-4, 6, 10, 18-19, and 21-22 as obvious under 35 U.S.C. § 103 based on *Lung et al.* (US 6,292,549) in view of the newly-applied *Grimes et al.* (US 5,553,128); claims 5 and 20 over *Lung et al.* and *Grimes et al.* further in view of *Solomon et al.* (US 5,361,295); and claims 7-9 over *Lung et al.* and *Grimes et al.* further in view of *Yamadera et al.* (US 5,444,477).

The allowability of claims 11-17 is noted with appreciation.

The rejection of claims 1-10 and 18-22 is respectfully traversed because the references, individually or in combination, fail to teach or otherwise suggest the features of the claims. For example, independent claim 1 recites, with added emphasis:

1. In a telecommunications network, a method comprising the steps of: receiving a request to forward calls directed to a first destination to a second destination; and contacting the second destination to **obtain an approval for the request to forward calls** from the first destination to the second destination.

In addition, independent claim 18 recites (emphasis added):

18. A call forwarding system comprising:
a switch for directing calls intended for a first destination to a second destination when call forwarding is activated; and
approval logic coupled to the switch for contacting the second destination to **obtain approval for the request to direct the calls** from the first destination to the second destination **before call forwarding is activated**.

Accordingly, claims 1-10 and 18-22 include a feature of contacting the second destination to obtain an approval for the request to forward or direct calls, which advantageously addresses limitations in conventional call forwarding systems that permit malicious, abusive, or otherwise improper forwarding of calls (see Spec. p. 1). This feature is not taught or suggested by the references.

As correctly acknowledged by the Office Action, p. 2, “Lung et al. fail to explicitly teach the method of contacting the second destination to obtain an approval for forwarding calls to the second destination.” However, *Grimes et al.* too fails to disclose this feature. *Grimes et al.* is directed to “control of call forwarding by a target telephone” (Title), in which a terminal processor on a telephone set “block all forwarded calls from all other telephone sets, from a predetermined list of telephone sets, or from all telephone sets except for a predetermined list of telephone sets.” (Abstract). Users of the *Grimes et al.* system initiate blocking of forwarded calls by pressing a button on the telephone set (col. 3:39-40), but are not contacted to “obtain approval for the request to forward calls (or direct the calls) from the first destination to the section destination.”

Specifically, col. 3:27-30 in the passage cited by the Office Action states that “the teleprocessing application **144** of the switching node transmits a call set up message for this call to teleprocessing application **137** and includes an indication that the call is being call forwarded.” This call is actually forwarded to the user’s telephone: “Upon seeing that it is a call forwarded call from BRI station set **103**, the user of BRI station set **106** activates the block call forwarding button” (col. 3:37-40). The call at the BRI station set **106** is an actual forwarded call, not a contacting “to **obtain an approval for the request to forward calls** from the first destination to the second destination.” Rather, the *Grimes et al.* system merely forwards the call without “obtaining an approval for the request to forward calls.”

Furthermore claim 18 recites that contacting the second destination to obtain approval happens “before call forwarding was activated.” However, the *Grimes et al.* teleprocessing processing applications **144** and **137** forwards the call to the destination telephone set **106** *before* the user activated the block call forwarding button. Thus, the user is not contacted to obtain approval the request to forward calls from BRI station set **103** to BRI station **106** “before call forwarding is activated” as recited in claim 18.

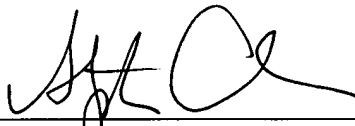
Dependent claims 2-10 and 17-22 are allowable for at least the same reasons as their independent claims and are patentable on their own merits. Secondary references *Solomon et al.* and *Yamadera et al.* also fail to show the contacting to obtain an approval.

Therefore, the present application, as amended, overcomes the objections and rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 425-8516 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

DITTHAVONG & CARLSON, P.C.

7/21/2003
Date



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